THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 21691 of 2005

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Dated: 05.10.2005

Between:

M.P.Radhya, S/o late M.Pandithiah,

Aged 61 years, Occ: Retd.HCL Employee,

R/o Flat No.418, Lakshmi Apartments,

#6-1-1, Walker Town, Padmaraonagar,

Secunderabad-500 025.

..... PETITIONER

AND

1. The Vice-Chairman, Hyderabad Urban

Development Authority, 1-8-323, Paigah Palace,

Police Lines, Rasoolpura,

Secunderabad-500 003 and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.21691 of 2005

ORDER;

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The petitioner was allotted house bearing No.59 (Type-I) by the Hyderabad Urban Development Authority (HUDA) by the letter of allotment, dated 30.09.1981. The petitioner was required to pay 10% of the cost of the house on the date of allotment and the balance in three installments. The petitioner appears to have raised a loan from M/s Hindustan Cables Limited, Hyderabad, in which he was working, and paid the sale consideration. The house allotted to the petitioner was constructed in the

plot admeasuring 210 Square yards. When the petitioner requested for registration, by the letter dated 14.09.2005, the second respondent informed the petitioner that the actual plot area allotted to the petitioner is 227.48 Square metres as against the original allotment of 210 Square metres and he was asked to pay a sum of Rs.52,250 @ Rs.2,500/- per Square yard. This action of the respondents is assailed in the writ petition.

The learned counsel for the petitioner, Sri.N.Mrutyunjaya Sharma, submits that it is illegal and arbitrary on the part of HUDA to demand the cost of the excess land @ Rs.2,500/- per square yard. A copy of the sale agreement entered into between the petitioner and HUDA is not placed before this Court to appreciate the contention with reference to covenants on the sale agreement. Therefore, in this writ petition, the said question cannot be decided. It appears, the petitioner made a representation to the first respondent on 19.09.2005. Therefore, the petitioner may seek redressal before the first respondent, who may consider and dispose of the representation within two weeks from the date of receipt of a copy of this order.

The writ petition, with the above observation, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

05.10.2005

vs